

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address)  
**THOMAS P. RILEY, ESQ.**, Bar No.: 194706  
 THOMAS P. RILEY, LAW OFFICES OF  
 1114 FREMONT AVENUE  
 SOUTH PASADENA, CA 91030

TELEPHONE NO.

(626) 799-9797

ATTORNEY FOR (Name): **PLAINTIFF****tprlaw@att.net**

Ref. No. or File No.

**26 MIX 1/21/06**

Insert name of court, judicial district or branch court, if any:

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**450 GOLDEN GATE #1111**  
**SAN FRANCISCO, CA 94102**

PLAINTIFF/PETITIONER:

**J & J SPORTS PRODUCTIONS, INC.**

DEFENDANT/RESPONDENT:

**AGUILAR**

| PROOF OF SERVICE | DATE | TIME | DEPT/DIV. | CASE NUMBER:        |
|------------------|------|------|-----------|---------------------|
|                  |      |      |           | <b>C08 0473 WHA</b> |

1. At the time of service I was at least 18 years of age and not a party to this action.

2. I served copies of the

**SUMMONS IN A CIVIL CASE, COMPLAINT; CERTIFICATION AS TO INTERESTED PARTIES; ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; SUPPLEMENTAL ORDER TO ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE; STANDING ORDER**

3. a. Party served: **CESAR MEJIA AGUILAR, INDIVIDUALLY AND D/B/A CLUB 26 MIX**4. Address where the party was served: **3024 MISSION STREET**  
**SAN FRANCISCO, CA 94110**

5. I served the party

b. **by substituted service.** On: **March 4, 2008 at 09:30 pm** I left the documents listed in item 2  
with or in the presence of(1) **(business)** a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.

(4) A declaration of mailing is attached.

(5) I attach a **declaration of diligence** stating actions taken first to attempt personal service.  
under the following Code of Civil Procedure section :**SERVICE MADE PURSUANT TO FRCP 4(e) (2)**

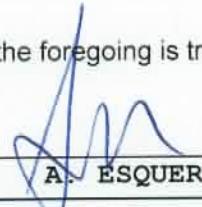
7. Person who served papers

- a. **A. ESQUER**
- b. **ABSOLUTE SERVICE OF LOS ANGELES**  
**1301 WEST SECOND STREET, SUITE 204**  
**LOS ANGELES, CA 90026**  
**c. (213) 481-7334**

d. The fee for service was: \$95.00

- e. I am: (3) registered California process server.
  - (i) independent contractor
  - (ii) Registration No.: 3101
  - (iii) County: LOS ANGELES

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: **March 6, 2008**
  
**A. ESQUER**

THOMAS P. RILEY, ESQ., Bar No. 19473  
 THOMAS P. RILEY, LAW OFFICES OF  
 1114 FREMONT AVENUE  
 SOUTH PASADENA, CA 91030

ATTORNEY FOR (Name) PLAINTIFF

TELEPHONE NO:

(626) 797-0808

FOR COURT USE ONLY

Page 2 of 4

tprlaw@att.net

Ref. No. or File No.

26 MIX 1/21/06

Insert name of court, judicial district or branch court, if any:

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 450 GOLDEN GATE #1111  
 SAN FRANCISCO, CA 94102

PLAINTIFF:

J &amp; J SPORTS PRODUCTIONS, INC.

DEFENDANT:

AGUILAR

| DECLARATION<br>RE: DILIGENCE | DATE | TIME | DEPT/DIV | CASE NUMBER  |
|------------------------------|------|------|----------|--------------|
|                              |      |      |          | C08 0473 WHA |

I received the within process on January 31, 2008 and that after due and diligent effort I have been unable to personally serve said party. The following itemization of the dates and times of attempts details the efforts made to effect personal service. Additional costs for diligence are recoverable under CCP §1033.5 (a)(4)(B).

Party Served: CESAR MEJIA AGUILAR, INDIVIDUALLY AND D/B/A CLUB 26 MIX

Residence: Residence address was not known at the time of service.

Business: 3024 MISSION STREET, SAN FRANCISCO, CA 94110

As enumerated below:

February 5, 2008 07:00 pm  
 BUSINESS/OFFICE LOCKED.  
 February 6, 2008 10:05 am  
 BUSINESS/OFFICE LOCKED.  
 February 10, 2008 11:00 am  
 BUSINESS/OFFICE LOCKED.  
 February 13, 2008 04:35 pm  
 BUSINESS/OFFICE LOCKED, SPOKE TO NEIGHBORS, SUBJECT IS OUT OF TOWN UNTIL THE LAST WEEK OF THE MONTH.  
 February 28, 2008 11:00 am  
 BUSINESS/OFFICE LOCKED.  
 March 1, 2008 07:20 pm  
 BUSINESS/OFFICE LOCKED.  
 March 4, 2008 09:29 pm  
 NOT IN (BUSINESS) LUIS GARCIA, PERSON IN CHARGE.  
 March 4, 2008 09:30 pm  
 SUBSTITUTED SERVICE. RECIPIENT INSTRUCTED TO DELIVER DOCUMENTS TO DEFENDANT AS NAMED.

(CONTINUED ON NEXT PAGE)

## Person who served papers

A. ESQUER  
 ABSOLUTE SERVICE OF LOS ANGELES  
 1301 WEST SECOND STREET, SUITE 204  
 LOS ANGELES, CA 90026  
 (213) 481-7334

The fee for service was: \$95.00

I am: registered California process server.  
 independent contractor  
 Registration No.: 3101  
 County: LOS ANGELES

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: March 6, 2008

  
 A. ESQUER

Case 3:08-cv-00473-WHA Document 7 Filed 04/08/2008  
 THOMAS P. RILEY, ESQ., Bar No.: 194708  
 THOMAS P. RILEY, LAW OFFICES OF  
 1114 FREMONT AVENUE  
 SOUTH PASADENA, CA 91030

ATTORNEY FOR (Name): **PLAINTIFF****tprlaw@att.net**

Ref. No. or File No.

**26 MIX 1/21/06**

Insert name of court, judicial district or branch court, if any:

**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 450 GOLDEN GATE #1111  
 SAN FRANCISCO, CA 94102**

PLAINTIFF:

**J & J SPORTS PRODUCTIONS, INC.**

DEFENDANT:

**AGUILAR**

|                                      |              |              |                  |                     |
|--------------------------------------|--------------|--------------|------------------|---------------------|
| <b>DECLARATION<br/>RE: DILIGENCE</b> | <b>DATE:</b> | <b>TIME:</b> | <b>DEPT/DIV:</b> | <b>CASE NUMBER:</b> |
|                                      |              |              |                  | <b>C08 0473 WHA</b> |

**Person who served papers**

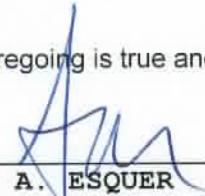
A. ESQUER  
 ABSOLUTE SERVICE OF LOS ANGELES  
 1301 WEST SECOND STREET, SUITE 204  
 LOS ANGELES, CA 90026  
 (213) 481-7334

**The fee for service was: \$95.00**

I am: registered California process server.  
 Employee or independent contractor  
 Registration No.: 3101  
 County: LOS ANGELES

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: March 6, 2008


  
**A. ESQUER**

THOMAS P. RILEY, ESQ., Bar No.: 194706  
 THOMAS P. RILEY, LAW OFFICES OF  
 1114 FREMONT AVENUE  
 SOUTH PASADENA, CA 91030

TELEPHONE NO.

(626) 795-9571

tprlaw@att.net

Ref. No. or File No.

26 MIX 1/21/06

ATTORNEY FOR (Name) PLAINTIFF

Insert name of court, judicial district or branch court, if any:

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 450 GOLDEN GATE #1111  
 SAN FRANCISCO, CA 94102

PLAINTIFF/PETITIONER

J &amp; J SPORTS PRODUCTIONS, INC.

DEFENDANT/RESPONDENT

AGUILAR

| PROOF OF SERVICE BY MAIL | DATE: | TIME: | DEPT/DIV | CASE NUMBER: |
|--------------------------|-------|-------|----------|--------------|
|                          |       |       |          | C08 0473 WHA |

I am a citizen of the United States and employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 1301 West Second Street, Suite 204, Los Angeles, CA 90026.

On March 5, 2008, after substituted service under section CCP 415.20(a) or 415.20(b) or FRCIV.P 4(d)(1) was made, I mailed copies of the:

SUMMONS IN A CIVIL CASE, COMPLAINT; CERTIFICATION AS TO INTERESTED PARTIES; ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; SUPPLEMENTAL ORDER TO ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE; STANDING ORDER

to the defendant in said action by placing a true copy thereof enclosed in a sealed envelope, with First Class postage thereon fully prepaid, in the United States Mail at LOS ANGELES, California, addressed as follows:

CESAR MEJIA AGUILAR, INDIVIDUALLY AND D/B/A CLUB 26 MIX  
 3024 MISSION STREET  
 SAN FRANCISCO, CA 94110

I am readily familiar with the firm's practice for collection and processing of documents for mailing. Under that practice, it would be deposited within the United States Postal Service, on that same day, with postage thereon fully prepaid at LOS ANGELES, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one (1) day after date of deposit for mailing in affidavit.

**Person who served papers**

M. MANCHESTER  
 ABSOLUTE SERVICE OF LOS ANGELES  
 1301 WEST SECOND STREET, SUITE 204  
 LOS ANGELES, CA 90026  
 (213) 481-7334

**The fee for service was: \$95.00**

I am: registered California process server,  
 employee  
 Registration No.: 5211  
 County: LOS ANGELES

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: March 6, 2008

M. MANCHESTER